

AMENDED IN SENATE MAY 21, 2002

AMENDED IN SENATE APRIL 11, 2002

SENATE BILL

No. 1988

Introduced by Senator Polanco
(Coauthor: Senator Karnette)

February 22, 2002

An act to add Article 6 (commencing with 8780) to Chapter 4 of Part 6 of the Education Code, relating to environmental education, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 1988, as amended, Polanco. Environmental education fund.

Existing law contains various provisions regarding environmental education, including a grant program that funds programs in public schools, community colleges, and regional conservation education centers for the purpose of conservation education.

This bill would create an Environmental Education Fund in which funds from public or private organizations and ~~money judgments~~ *contributions made pursuant to the settlement* of a state or federal ~~court~~ *lawsuit* may be deposited to fund environmental education. The bill would ~~require~~ *make an appropriation by requiring* the Superintendent of Public Instruction, each fiscal year, to allocate 60% of the funds for environmental education in the public schools, ~~and, as part of that allocation, would require the Superintendent of Public Instruction to establish specified pilot environmental education institutes and programs when the total amount of money received by the fund equals or exceeds specified amounts.~~ The bill would require the remaining 40% of the funds to be allocated to ~~the California District Attorneys~~

~~Association for the Environmental Project and the Environmental Circuit Prosecutor Project—a nonprofit organization that serves to educate and train district city attorneys, city district attorneys, and their staff; and investigators in on the fair and uniform enforcement of state and federal environmental laws and the advancement of environmental justice.~~

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Article 6 (commencing with Section 8780) is added to Chapter 4 of Part 6 of the Education Code, to read:

Article 6. Environmental Education Fund

8780. (a) The Environmental Education Fund is hereby created in the State Treasury for the purposes of this article. Transfers of funds from public or private organizations and ~~appropriate money judgments of a state or federal court may be~~ contributions to the fund made pursuant to the settlement of a state or federal lawsuit may be deposited into the fund and shall be administered by the department for the purposes of this article.

(b) Each fiscal year, the department shall allocate funds from the Environmental Education Fund, which are continuously appropriated to the department for this purpose, for environmental education in accordance with the following schedule:

(1) An amount equal to 60 percent of the balance in the fund shall be allocated by the Superintendent of Public Instruction for purposes of environmental education in the public schools.

~~(A) When the total amount of money received by the fund equals or exceeds two hundred thousand dollars (\$200,000), the department shall establish a pilot summer environmental education institute in Los Angeles to assist and train educators in the subject of environmental education.~~

~~(B) When the total amount of money received by the fund equals or exceeds four hundred thousand dollars (\$400,000), the department shall establish a second pilot summer environmental education institute in northern California to assist and train educators in the subject of environmental education.~~

~~(C) When the total amount of money received by the fund equals or exceeds six hundred thousand dollars (\$600,000), the department shall establish a pilot environmental education program within the Los Angeles Unified School District for pupils that desire to seek higher education and careers that specialize in ecology and environmental science.~~

~~(D) When the total amount of money received by the fund equals or exceeds one million dollars (\$1,000,000), the department may create a grant program to further environmental education in public schools pursuant to Article 4 (commencing with Section 8750) or to further other environmental education programs in public primary or secondary schools.~~

~~(E)–~~

(A) The department may use these funds for environmental education programs described in Article 4 (commencing with Section 8750).

(B) The department shall allocate funds pursuant to this paragraph to school districts representing all geographical regions of the state, including both rural and urban regions.

(C) Any funds not expended for the purpose of this paragraph during the fiscal year in which the funds are allocated shall be carried over to the following fiscal year for the same purpose.

~~(F)~~

(D) The department may expend up to 10 percent of the funds allocated pursuant to this paragraph on administrative and overhead costs necessary to implement this paragraph.

(2) An amount equal to 40 percent of the balance in the fund shall be allocated by the Superintendent of Public Instruction to the California District Attorneys Association for the Environmental Project and the Environmental Circuit Prosecutor Project to educate and train district attorneys, city attorneys, their deputies, and investigators in the enforcement of state and federal environmental laws. The education and training shall focus on environmental justice and fair and uniform enforcement of environmental laws. a nonprofit organization that serves to educate city attorneys, district attorneys, and their deputies and investigators on the fair and uniform enforcement of environmental laws and the advancement of environmental justice. The nonprofit organization shall use the funds exclusively

1 *for the purposes of environmental education and the advancement*
2 *of environmental justice.*

3 (A) Any funds not expended for the purpose of the program
4 during the fiscal year in which the funds are allocated shall be
5 carried over to the following fiscal year for the same purpose.

6 (B) For each fiscal year in which ~~the California District~~
7 ~~Attorneys Association~~ *a nonprofit organization* receives funds
8 pursuant to this paragraph, the ~~California District Attorneys~~
9 ~~Association~~ *nonprofit organization* shall prepare a report that
10 itemizes the expenditure of the funds. The report shall be
11 submitted to the Legislature and the department on or before
12 September 1 of the fiscal year following the fiscal year in which
13 the funds are received. The department or the Joint Legislative
14 Audit Committee may audit the records of ~~the California District~~
15 ~~Attorneys Association~~ *a nonprofit organization* relating to the
16 expenditure of funds pursuant to this paragraph.

17 (c) Not later than 36 months after funds are first allocated from
18 the Environmental Education Fund pursuant to subdivision (b),
19 the Superintendent of Public Instruction shall submit a report to
20 the Legislature itemizing the expenditure of funds pursuant to this
21 article and describing each program or institute funded and the
22 accomplishments of each program or institute.

